

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOHN OATES, and
MICHAEL CROHAN,
on behalf of themselves and a
class of similarly situated individuals,

and

JOHN ALARID,
FLORENTINO SENA,
JOSEPH SALAZAR, and
ROBERT SALAZAR,
on behalf of themselves and a
class of similarly situated individuals,

Plaintiffs,

vs.

Case No. 11-cv-254 MCA/GBW
(Consolidated with 11-cv-842-MCA/GBW)

DONALD DORSEY, ANTHONY ROMERO,
CHRISTINE VALLEJOS, and various
JOHN DOE correctional officers,

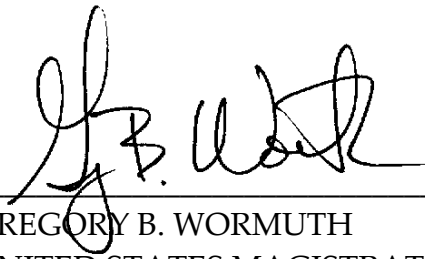
Defendants.

**ORDER TO SUBMIT MOTION FOR PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

THIS MATTER is before the Court upon notification of a proposed settlement. On July 16, 2013, the undersigned conducted a settlement conference in this case. *See docs. 123, 125, 126, 129, 130, 131, 132, 133.* The conference ended with a proposed settlement agreement conditioned upon final acceptance of the terms by Defendants no later than August 9, 2013. *Doc. 134.* Defendants' counsel has advised the undersigned

of Defendants' final acceptance of the terms of the proposed settlement. Pursuant to Rule 23(e), the proposed settlement agreement is subject to court approval. Consequently, Plaintiffs' counsel is directed to file an unopposed¹ motion for preliminary approval of class action settlement and approval of the form and manner of notice.² See, e.g., *Torres v. Valencia County Bd. of County Comm'rs*, No. 7-cv-328 MCA/WDS (D.N.M. 2007), docs. 62, 63, 66. This motion shall be filed no later than September 6, 2013 unless good cause for an extension is shown. All discovery or other case management deadlines shall be stayed until the filing of the motion and through the Court's final decision regarding approval.

IT IS SO ORDERED.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE

¹ To permit the motion to be unopposed, it should be drafted with due coordination with Defendants' counsel.

² As this case contains two certified classes, the motion should address the proposed settlement of both.